

## REMARKS

In the outstanding Office Action, the Examiner rejected claims 10, 12-13, and 16 under 35 U.S.C. § 102(b), rejected claim 16 under 35 U.S.C. § 102(a), and rejected claims 14-15 and 17 under 35 U.S.C. § 103(a). In addition, Applicants wish to thank the Examiner for indicating that claims 5, 6, 11, and 22-26 are allowable. By this amendment, Applicants amend claims 10, 12, and 16. Claims 5, 6, 10-17, and 22-26 are pending and under consideration.

### Rejection of claims 10 and 12-13 under 35 U.S.C. § 102(b):

In the outstanding Office Action, the Examiner rejected claims 10 and 12-13 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,230,030 to Hartman et al., (“Hartman”). Office Action at pages 2-3. Additionally, Applicants thank the Examiner for clarifying the Examiner’s construction of certain elements taught by the Hartman reference.

By this amendment, Applicants amend claims 10 and 12 to recite, in part, “[a]n optical transceiver . . . wherein the portion of the housing above the plane of the board and the second portion of the housing below the plane of the board are external to the board . . .” Applicants respectfully assert that Hartman does not teach this. In contrast, Hartman, as construed by the Examiner, teaches a housing (see, e.g., Fig. 1, “22”) that slidably engages *inside* keyway “20.” Thus, after housing “22” is slid inside keyway “20”, no portion of housing “22” is external to the board defined by base “15” and layers “16” and “17.” As a result, Hartman does not teach “[a]n optical transceiver . . . wherein the portion of the housing above the plane of the board and the second portion of the

housing below the plane of the board are external to the board . . .,” as recited by claims 10 and 12, as amended.

As a result, Hartman does not teach or suggest each and every element of claims 10 or 12, as amended. For at least these reasons, Applicants respectfully submit that claims 10 and 12 are patentable over the cited art.

Claim 13 depends from claim 12. Thus, Applicants respectfully assert that this claim is also patentable over the cited art for at least the same reasons discussed above for claim 12.

Rejection of claim 16 under 35 U.S.C. § 102(a):

In the outstanding Office Action, the Examiner rejected claim 16 under 35 U.S.C. § 102(a) as anticipated by U.S. Patent No. 6,305,848 to Gregory, (“Gregory”). Office Action at page 3.

By this amendment, Applicants amend claim 16 to recite, in part, “[a]n optical transceiver comprising a housing removably mountable on a circuit board . . .” Applicants respectfully assert that Gregory does not teach this. In contrast, Gregory, as construed by the Examiner, teaches a housing (see, e.g., Fig. 2, “16”) that is fixedly attached to a circuit board “20.” Indeed, Gregory states “the mating optical connector itself must be rigidly mounted within the chassis based system...” See, col. 4, line 65 to col. 5, line 5. In addition, Figs. 2, 6, and 7 indicate that housing “16” is not removable from circuit board “20.”

As a result, Gregory does not teach or suggest each and every element of claim 16, as amended. For at least these reasons, Applicants respectfully submit that claim 16 is patentable over the cited art.

Rejection of claim 16 under 35 U.S.C. § 102(b):

In the outstanding Office Action, the Examiner rejected claim 16 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,134,679 to Robin et al., (“Robin”). Office Action at page 3.

Claim 16 recites, in part, “[a]n optical transceiver comprising a housing removably mountable on a circuit board . . . wherein the housing includes a heat sink.” Applicants respectfully assert that Robin does not teach this. Indeed, nowhere does Robin teach or suggest heat removal. In fact, Robin does not even teach the material from which housing “22” is made. Thus, Applicants respectfully assert that the housing “22” as taught in Robin cannot be construed as a heat sink consistent with the present invention as recited by claim 16.

As a result, Robin does not teach or suggest each and every element of claim 16. For at least these reasons, Applicants respectfully submit that claim 16 is patentable over the cited art.

Rejection of claims 14 and 15 under 35 U.S.C. § 103(a):

In the outstanding Office Action, the Examiner rejected claims 14 and 15 under 35 U.S.C. § 103(a) as anticipated by U.S. Patent No. 5,230,030 to Hartman et al., (“Hartman”). Office Action at page 4.

As discussed above, Applicants respectfully submit that amended claim 12 is patentable over Hartman because Hartman does not teach each and every element of claim 12. Claims 14 and 15 depend from claim 12. Thus, Applicants respectfully assert that these claims are also patentable over Hartman for at least the same reasons discussed above for claim 12.

Rejection of claim 17 under 35 U.S.C. § 103(a):

In the outstanding Office Action, the Examiner rejected claim 17 under 35 U.S.C. § 103(a) as anticipated by U.S. Patent No. 6,305,838 to Gregory, (“Gregory”). Office Action at page 4.

As discussed above, Applicants respectfully submit that amended claim 16 is patentable over Gregory because Gregory does not teach each and every element of claim 16. Claim 17 depends from claim 16. Thus, Applicants respectfully assert that this claim is also patentable over Gregory for at least the same reasons discussed above for claim 16.

Applicants acknowledge the requirement of 37 CFR § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made.

Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

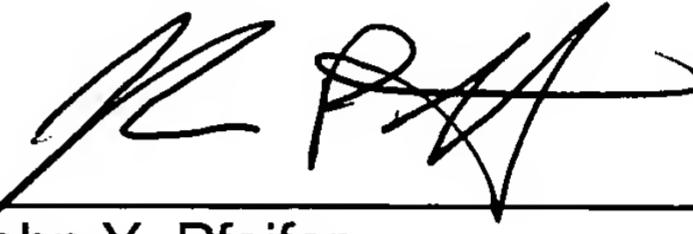
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Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
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Dated: April 9, 2004

By:

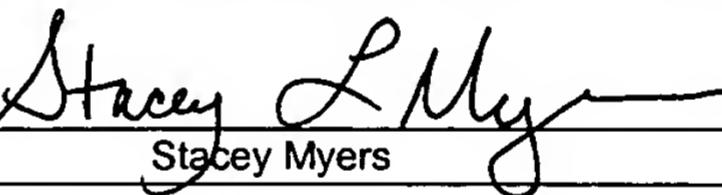
  
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Stacey Myers